

Application Serial No. 10/066,361
Reply to Office Action of December 24, 2003

Patent
Docket No. CU-2826

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

The Specification stands objected to for containing informalities. Appropriate corrections have been made and withdrawal of the objection is respectfully requested.

Claims 1-29 are pending in the present application before this amendment. Claim 29 has been allowed, and Claims 5-7, 9, 11-14, 16, 19-26, and 28 are indicated as being allowable.

By the present amendment, Claims 1, 10, and 17 have been amended to remove the issues related to the indefiniteness. No new matter has been added.

Claims 1-28 stand rejected under 35 U.S.C. § 112, ¶2 as being indefinite. In particular, the Examiner notes that Claim 10, line 1, "the slide" no antecedent basis. In response, "the slide" of Claim 10 has been amended to --the replenishing value unit comprises a slide--.

The Examiner suggests that Claim 10, line 3, "said communication means" should be --said communicating valve-- to agree with Claim 17, line 8. In response, "said communication means" appearing on Claim 10, lines 3 and 4 has been corrected to --said communication valve--.

The Examiner also suggests that Claim 1, line 13, and Claim 17, line 13 "said inlet" should be --said inlet means-- to agree with lines 10-11. The suggested amendments have been made to Claims 1 and 17. Accordingly, withdrawal of all rejections based on §112 is respectfully requested.

Claims 1-4, 15, 17-18, and 27 stand rejected under 35 U.S.C. § 102(b)

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as being anticipated by U.S. Patent No. 4,759,261 (Flieter). The "et al." suffix, which may appear after a reference name, is omitted in this paper.

Applicants respectfully disagree.

The independent Claims 1 and 17 both recite, Inter alia, that:

"the communication valve [is] suitable for causing said inlet means to communicate with said outlet when the pressure in said main pipe that is at the lower pressure reaches a given pressure threshold"

Consequently, the specific communication valve defined in Claims 1 and 17 is a threshold valve which opens only as from a given pressure threshold (see the Specification page 2, line 30 to page 3, line 2).

Flieter fails to disclose or teach this claimed feature, among others.

Flieter discloses a valve device comprising a replenishing selector with a piston 27 for selecting the lowest pressure. Indeed, as stated in Flieter col. 7, lines 35-52, when channel 16 is at the highest pressure, the piston 27 moves to the right to enable a connection between channel 17 and the discharge conduit 42.

The valve device of Flieter further comprises a closing member 38 formed of a ring centered midway of the piston 7 by means of springs 39 and 40.

Applicants respectfully submit that the closing member 38 of Flieter is not at all analogous to the communication valve of the presently claimed invention.

As a matter of fact, Flieter clearly states in col. 7, lines 45-56, that the closing member 38 (and not 30) is initially in its central position relative to the piston 27, due to its centering by the springs 39 and 40. Consequently, when the pressure in channel 16 becomes the highest pressure, this closing member

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38 moves jointly with the piston so as to connect channel 17 and conduit 42. As a result, the displacement of the piston 27 automatically connects the inlet of the valve device (e.g., channel 21) to the outlet thereof (conduit 42).

This is contrary to the presently claimed invention where such communication is allowed only as from a given pressure threshold.

As a matter of fact, closing member 38 of the valve device of Flieter forms a flow regulator which, when piston 27 is moved, establishes a constant leakage flow from the channel 16 or 17 at the lowest pressure into conduit 42. This is also clearly explained on page 4, the first paragraph of Flieter.

Flieter does not disclose or suggest a communication valve and a replenishing selector having respective mobile elements located one in the other and moveable one with respect to the other such that the communication valve opens only as from a given pressure threshold.

For these reasons, Applicants respectfully submit that Claims 1 and 17 are considered to be in condition for allowance as the cited prior art reference(s) fails to teach (or suggest) this claimed feature, among others.

Accordingly, Claims 2-4, 8, 10, 15, 18, and 27 are also allowable at least since they depend from one of Claims 1 and 17, which are now considered to be condition for allowance at least for the reasons set forth above.

Claims 5-7, 9, 11-14, 16, 19-26, and 28 are indicated as being allowable if they are rewritten to incorporate all of the limitations of the base claim and any intervening claims. In view of the above-remarks asserting that Claims 1 and 17 are considered to be in condition for allowance, it is respectfully

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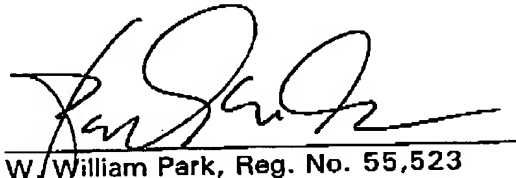
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submitted that these allowable claims are also considered to be in condition for allowance. Accordingly, the amendments for placing certain number of claims in independent form are not considered necessary and have not been made in this amendment.

Claim 29 has been allowed.

In summary, Applicants respectfully submit that Claims 1-29 pending in this application either has been allowed or are in condition for allowance. This amendment is considered to be responsive to all points raised in the Office Action. Applicants respectfully request a Notice of Allowance in the next action. Should the Examiner have any remaining questions or concerns, the Examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,



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W. William Park, Reg. No. 55,523
Ladas & Parry
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300